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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 STEVEN EARL CARR, an individual,  
11 Plaintiff,

12 v.

13 UNITED STATES OF AMERICA; DAVID  
14 L. JAFFE, individually, DAVID N.  
15 KARPEL, individually, DOES 1 through  
16 100; and ROES 1 through 100; inclusive,  
17 Defendants.

Case No.: 2:20-cv-01850-GMN-NJK

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME FOR  
PLAINTIFF TO RESPOND TO MOTION  
TO DISMISS FILED BY DEFENDANTS  
UNITED STATES OF AMERICA, DAVID  
L. JAFFE, AND DAVID N. KARPEL [ECF  
No. 5] AND FOR DEFENDANTS TO  
RESPOND TO AMENDED COMPLAINT**

**(First Request)**

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19 NOW COMES the Plaintiff, STEVEN EARL CARR, by and through his attorneys, Melanie  
20 A. Hill and Melanie Hill Law PLLC, and Defendants UNITED STATES OF AMERICA, DAVID L.  
21 JAFFE, AND DAVID N. KARPEL, by and through their attorneys, Assistant United States Attorney  
22 Gregory Addington, who hereby stipulate that Plaintiffs may have an extension of time from the  
23 current deadline of December 7, 2020 until, up to and including December 14, 2020, within which to  
24 respond to the Defendants' Motions to Dismiss [ECF No. 5]. Plaintiff intends to file an Amended  
25 Complaint and intended to do so prior to serving the Complaint in this case and prior to the  
26 Defendants filing the instant Motion to Dismiss the complaint. By way of background, the Complaint  
27 was not served on any of the Defendants prior to the filing of the Motion to Dismiss [ECF No. 5] and  
28 the deadline to serve the Complaint was January 2, 2021. The parties further stipulate that after the

1 Amended Complaint is filed, Defendants shall have thirty (30) days to file their responsive pleading.  
2 This Stipulation is made at the request of all parties for the reasons set forth herein and this is the first  
3 request for an extension of the deadline to respond to the pending Motion to Dismiss [ECF No. 5].

4 In support of this Stipulation and Order, the parties state as follows:

5 1. The original complaint was filed in this case on October 4, 2020.

6 2. As of the date of the filing of the Motion to Dismiss [ECF No. 5] in this case, Plaintiff had  
7 not yet served any of the defendants with the Complaint and the deadline to serve the Complaint did  
8 not run until January 2, 2021.

9 3. Plaintiff had been working on an amended complaint for nearly the last two months at the  
10 time the Motion to Dismiss was filed. Counsel for Plaintiff had conveyed this intent to file an  
11 amended complaint to counsel for Defendants on November 20, 2020 in response to Defendants'  
12 counsel's email agreeing to accept service on behalf of Defendants DAVID L. JAFFE and DAVID N.  
13 KARPEL.  
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15 4. Counsel for all parties have conferred regarding Plaintiffs request for an extension of the  
16 response deadline, and counsel for the Defendants has agreed to the requested extension. Counsel for  
17 all parties have further conferred on the timing of the filing of the Amended Complaint that will be  
18 timely filed on December 14, 2020 pursuant to Federal Rule of Civil Procedure 15(a) and the  
19 Defendants responsive pleading deadline and all parties have agreed that Defendants shall have thirty  
20 (30) days to file their responsive pleading.  
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22 5. The motion was filed the Monday of the week of Thanksgiving and counsel for Plaintiff is  
23 requesting the statutory twenty-one (21) days to file his amended complaint. To allow for this  
24 deadline to amend the complaint, which is greater than the fourteen (14) day deadline to oppose the  
25 motion to dismiss from the current deadline of December 7, 2020 to December 14, 2020 knowing that  
26 the motion will likely be moot upon the filing of the amended complaint.  
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1           6. All of parties have also agreed to extend Defendants' deadline to file their responsive  
2 pleading for thirty (30) days from the date of the filing of Plaintiff's Amended Complaint to allow for  
3 the upcoming Christmas and New Years' Day holidays.

4           7. This stipulation and order is being brought in good faith and is not sought for any  
5 improper purpose or other purpose of delay, but to allow counsel for the parties' additional time to  
6 respond to the motion to dismiss and allow the Plaintiff to have the statutory period of twenty-one  
7 (21) days to file his amended complaint and also allow the Defendants time to file their responsive  
8 pleading after the upcoming Christmas and New Years' Day holidays.  
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1 WHEREFORE, the parties respectfully request that the Court extend the deadline for Plaintiff  
2 to respond to Defendants' motions to Dismiss from the current deadline of December 7, 2020 to  
3 December 14, 2020. The parties further respectfully request that the Court extend the deadline for  
4 Defendants to file their responsive pleading for thirty (30) days from the date of the filing of  
5 Plaintiff's Amended Complaint.  
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7 DATED this 4th day of December, 2020.

8 Respectfully submitted,

9 MELANIE HILL LAW PLLC

10 */s/ Melanie A. Hill*  
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Respectfully submitted,

NICHOLAS TRUTANICH  
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10 */s/ Gregory Addington*  
11

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19 *Attorney for Defendants United States of*  
20 *America, David L. Jaffe, and David N. Karpel*

21 **IT IS SO ORDERED.**

22 Dated this 4 day of December, 2020.

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27 Gloria M. Navarro, District Judge  
28 UNITED STATES DISTRICT COURT